

08-01-2025
Item No.15
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.28613 of 2024
Sadhab Ghosh
-vs-
The Union of India & Ors.

Mr. Tapash Kumar Bhattacharya
Mr. Purnasis Bhuniya
Mr. Aviroop Bhattacharya ...for the petitioner

Mr. Avinash Kankani
Mr. Guddu Singh ...for respondents no.1-5

Mr. Amit Kumar Nag
Ms. Pritha Bhaumik ...for IOCL

1. A joint report on behalf of the National Highways Authority of India (NHAI) and Indian Oil Corporation Limited (IOCL) filed in court is taken on record.
2. A sketch map has been annexed thereto in which the access as proposed to be provided to the petitioner is reflected.
3. The petitioner is not agreeable to the proposal mooted by the authorities.
4. Admittedly, the land over which IOCL intends to come up with a project belongs to NHAI who is trying to develop the area.
5. The petitioner submits that the manner in which the access is proposed to be allowed to him cannot be worked out, because the entire frontage of the Dhaba run by him would be blocked thereby affecting his business and his livelihood.
6. Learned counsel representing NHAI has

submitted that in the sketch map annexed to the report, clear access has been shown to the petitioner through the red-marked portion, and that there is no further scope to shift the position of the land offered to IOCL.

7. Keeping in mind the balance of convenience and inconvenience and public interest, the court is not inclined to pass any further order in this matter granting any relief to the petitioner.
8. The writ petition stands disposed of.
9. The petitioner is at liberty to approach the competent civil court for protection of his civil rights, if so advised.
10. All parties are to act on the server copy of this order duly downloaded from the official website of this court.
11. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

